

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

MAY 16 2018

Robert Z. Whipple, III

v.

Tenn. Bd. of Parole, et al.

Clerk, U. S. District Court
Eastern District of Tennessee
At Chattanooga

NO. _____

(To be assigned by the Clerk's Office.
Do not write in this blank.)

APPLICATION TO PROCEED IN FORMA PAUPERIS ON APPEAL
WITH SUPPORTING DOCUMENTATION

I, Robert Zenas Whipple, III, declare that I am the:

☐ plaintiff/petitioner

☐ defendant/respondent

☒ Other: Appellant

in the above-reverenced proceeding. In support of my request to proceed without being required to prepay fees or give security therefor, I state that because of my poverty, I am unable to pay the fees for this action or give security therefor. I believe that I am entitled to the relief sought in my complaint/petition/answer/response. The nature of my action, defense, or other proceeding or the issues I intend to present are briefly stated as follows:

- ① Heck does not apply, because the relief sought has only a potential effect on the time Appellant must serve.
- ② The trial court should have allowed the Appellant to amend his pleading. LaFountain v. Harry, 716 F.3d 944 (6th Cir 2013).

In further support of this application, I answer the following questions:

PERSONAL INFORMATION, EMPLOYMENT AND INCOME DATA

NAME (First Middle Last) YEAR OF BIRTH

Robert Zenas Whipple, III 1973

SOCIAL SECURITY NUMBER (last 4 digits only) PHONE NOS.

9520

N/A

HOME ADDRESS:

P.O. Box 751

OWN OR RENT?

Rent paid by grant

HOW LONG AT CURRENT ADDRESS?

Just moved in

MARITAL STATUS:

single

NAME AND ADDRESS OF CURRENT EMPLOYER:

N/A

TELEPHONE NUMBER OF EMPLOYER:

HOW LONG AT CURRENT EMPLOYMENT?

OCCUPATION (Describe what you do):

IF EMPLOYED, STATE BOTH THE GROSS AND NET AMOUNTS OF YOUR SALARY AND WAGES PER MONTH.

GROSS:

NET:

IF NOT CURRENTLY EMPLOYED, GIVE MONTH AND YEAR OF LAST EMPLOYMENT:

June 2011

HOW MUCH DID YOU EARN PER MONTH AT YOUR LAST EMPLOYMENT:

\$800

HAVE YOU RECEIVED ANY MONEY FROM ANY OF THE FOLLOWING SOURCES
WITHIN THE PAST TWELVE MONTHS?

Business, professional or other form of self-employment? ☐ Yes ☒ No

If YES, state the source and amount:

Rent payments, interest, or dividends? ☐ Yes ☒ No

If YES, state the source and amount:

Pensions, annuities, or life insurance payments? ☐ Yes ☒ No

If YES, state the source and amount:

Gifts or inheritance? ☐ Yes ☒ No

If YES, state the source and amount:

Any other source? ☐ Yes ☒ No

If YES, state the source and amount:

ASSETS:

LIST ANY OF THE FOLLOWING ASSETS THAT YOU OWN AND THE TOTAL VALUE

CASH \$ 800

CHECKING ACCOUNTS TOTAL BALANCE (List Banks Below) \$
(Do NOT include account numbers)

N/A

SAVINGS ACCOUNTS-TOTAL BALANCE (List Banks Below) \$
(Do NOT include account numbers)

N/A

STOCKS AND BONDS \$

REAL ESTATE-CURRENT FAIR MARKET VALUE
(List Locations Below)

_____ \$ _____

_____ \$ _____

_____ \$ _____

TOTAL REAL ESTATE \$

VALUE OF PERSONAL PROPERTY, EXCLUDING VEHICLES (Itemize)

None - just released \$ _____
from prison \$ _____
\$ _____

TOTAL PERSONAL PROPERTY \$ _____

MOTOR VEHICLES

Year/Make	License No.	Current Value
<u>N/A</u>		\$ _____
		\$ _____
		\$ _____

TOTAL VALUE OF MOTOR VEHICLES \$ _____

DEBTS OWED TO YOU (Give Name of Debtor)

<u>N/A</u>	\$ _____
	\$ _____
	\$ _____

TOTAL DEBTS OWED TO YOU \$ _____

OTHER ASSETS (ITEMIZE)

<u>N/A</u>	\$ _____
	\$ _____
	\$ _____

TOTAL OTHER ASSETS \$ _____

TOTAL OFF ALL ASSETS: \$ 800

LIABILITIES
(DO NOT INCLUDE ACCOUNT NUMBERS)

NOTES (LOANS) PAYABLE TO BANKS (List bank name and amount of loan only)

N/A \$ _____
\$ _____
\$ _____

TOTAL LOANS PAYABLE TO BANKS

\$ 0

NOTES (LOANS) PAYABLE TO OTHERS

\$ 0

MORTGAGES PAYABLE ON REAL ESTATE

\$ 0

CREDIT CARDS AND ACCOUNTS PAYABLE TO CREDITORS

\$ 0

MEDICAL BILLS

\$ 0

TAXES AND ASSESSMENTS PAYABLE

\$ 0

OTHER LIABILITIES (Itemize)

Restitution \$ 3,000

\$ _____

\$ _____

TOTAL LIABILITIES

\$ 3,000

LIVING EXPENSES

	Monthly Payment	Balance Owing
<input checked="" type="checkbox"/> RENT or <input type="checkbox"/> MORTGAGE PAYMENT (check one)	\$ 600	\$ _____
ELECTRICITY	\$ _____	\$ _____
WATER	\$ _____	\$ _____
GAS	\$ _____	\$ _____
TELEPHONE	\$ 55	\$ _____
FOOD	\$ 250	\$ _____
ALIMONY	\$ _____	\$ _____
CHILD SUPPORT	\$ _____	\$ _____
CHILD CARE	\$ _____	\$ _____
SCHOOL EXPENSES	\$ _____	\$ _____
AUTOMOBILE NOTE	\$ _____	\$ _____
AUTOMOBILE INSURANCE	\$ _____	\$ _____
AUTOMOBILE REPAIRS	\$ _____	\$ _____
GASOLINE	\$ _____	\$ _____
FURNITURE NOTE	\$ _____	\$ _____
CLOTHING	\$ _____	\$ _____
CABLE TELEVISION	\$ _____	\$ _____
LIFE INSURANCE	\$ _____	\$ _____
HOSPITALIZATION INSURANCE	\$ _____	\$ _____
DOCTORS	\$ _____	\$ _____
DRUGS	\$ _____	\$ _____
CREDIT CARDS	\$ _____	\$ _____
OTHER CHARGE ACCOUNTS OR CREDITORS	\$ _____	\$ _____
TAXES	\$ _____	\$ _____
ANY OTHER EXPENSES (LIST)		
<u>Private Fees</u>	\$ 40	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
TOTAL EXPENSES		\$ 945

SPOUSES' PERSONAL INFORMATION; EMPLOYMENT AND INCOME DATA

NAME (First Middle Last) YEAR OF BIRTH

SOCIAL SECURITY NUMBER (last 4 digits only) PHONE NOS.

HOME ADDRESS (if different from yours):

OWN OR RENT?

HOW LONG AT CURRENT ADDRESS?

NAME AND ADDRESS OF CURRENT EMPLOYER:

TELEPHONE NUMBER OF EMPLOYER:

HOW LONG AT CURRENT EMPLOYMENT?

OCCUPATION (Describe what your spouse does):

SPOUSE'S CURRENT MONTHLY INCOME:

Salary or Wages \$ _____

Commissions \$ _____

All other sources (Pensions; Soc.Sec.;
Rent; Interest; Dividends; Alimony, etc.) \$ _____

TOTAL: \$ _____

NAME OF DEPENDENTS AND INCOME (If any)
(For Minor Children, only provide first initials)

Names: Age: Relationship: Living
With Whom?

NIA

TOTAL MONTHLY INCOME OF DEPENDENTS INCLUDING
CHILD SUPPORT PAYMENTS (exclude spouse)

\$ 0

TOTAL MONTHLY INCOME OF APPLICANT, SPOUSE,
AND DEPENDENTS

\$ 0

AFFIDAVIT

I hereby certify that the above statement is true and that it is a complete statement of all my income and assets, real and personal, whether held in my name or by any other, under penalty of perjury.

5-11-2018

DATE

A handwritten signature in black ink, appearing to read "Robert Z. Weinstein".

SIGNATURE

Created: January 31, 2007
IPF Application.wpd

May 11, 2018

Judge Leon Jordan
U.S. District Court
900 Georgia Ave.
Chattanooga, TN 38402

RECEIVED

MAY 16 2018

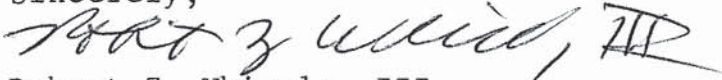
RE: WHIPPLE V. TENN. BD. OF PAROLE, NO. 1:17-CV-148
Clerk, U. S. District Court
Eastern District of Tennessee
At Chattanooga

Your Honor:

Enclosed please find my application to proceed IFP and change of address. I was unable to obtain a six month trust fund printout. As before, I asked trust fund officials to provide one, and once again, they have failed to do so. As you will recall you previously had to order prison officials to provide this, and I hope if it is necessary to process my IFP application, you will order them to provide it again.

I have yet to actually be released, but wish to go ahead and change my address at this time in anticipation of release. I was granted parole on April 23, 2018, and would have already been released were it not for the unlawful retaliation by defendants for this case and other protected conduct. Defendants have deliberately "lost" paperwork and submitted incorrect address information in order to delay my release. Specific defendants involved include: Darryl Beard, Brett Cobble, Shannon Green, and a defendant I will attempt to join later: Susan Garrett. I am not requesting a TRO at this time, but wanted the Court to be aware in case the retaliation continues.

Sincerely,



Robert Z. Whipple, III
P.O. Box 751
Smithville, TN 37166

cc: Warden Settles
Commissioner Parker
Sharon Rondeau, Editor, The Post & Email
David Tulis, Noogaradio FM 92.7 & 95.3
Grenda Harmer

ROBERT WHIPPLE 399615
BCCX
1045 HORSEHEAD ROAD
PIKEVILLE, TN 37367



THE DEPARTMENT OF COMMERCE
COX HAS NEITHER INSPECTED
NOR CENSORED AND IS NOT
RESPONSIBLE FOR THE CONTENTS

U.S. DISTRICT COURT
900 GEORGIA AVE RM 309
JOEL W SOLOMON FED BLDG
CHATTANOOGA, TN 37402

LEGAL MAIL

37402332253 COO3

LEGAL MAIL

INVESTIGATION OF CORRECTIONAL
INSTITUTIONS
FOR CONFINED AND 25 NO
SPECIALTY FOR THE COURT IS

